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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,923	02/04/2004	Gerd Wilsdorf	2001P16031WOUS	3494
46726	7590	03/25/2005		
JOHN T. WINBURN 100 BOSCH BOULEVARD NEW BERN, NC 28562			EXAMINER PASCHALL, MARK H	
			ART UNIT 3742	PAPER NUMBER

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/771,923	WILSDORF, GERD	
	Examiner Mark H Paschall	Art Unit 3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 13-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 13-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 04 February 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10-05-04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Specification***

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 13 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Uk 2,323,436 hereinafter Uk 436'. Note display 12,11,15,17,18 which display operating modes and other operating parameters such as temperature and time. See Figure 1. The display can comprise multiple color indicators and flashing indicators, as well as self-clean indicator.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uk 436'. Uk 436' teaches the claimed subject matter except for showing the luminous display as a pulsating arrow. It is considered an obvious choice in design for the display shape to comprise an arrow shape, such choice dependent on the end use of the device and the markets designated for. AS per claim 19 note that Uk 436' teaches a flashing display means, see column4 lines 1-5.

Claims 14,18,20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uk 436' in view of Ep 156,717'. Uk 436' teaches the claimed subject matter except for having the display comprise a substantially linear display. Note that the display zones in Figure 1 in Uk 436' are sequentially presented and obviously comprise a linear display, barring further description of the same. In addition, the patent to EP 717' clearly teaches linear displaymeans3,3' as conventional and very effective in indicating temperature data. In view of this teaching it would have been obvious to modify Uk 436' to include a linear display (including a bar-graph type), in lieu of conventional digit type displays, so that the benefit of more effective temperature display is attained. AS per claim 20 it is considered an obvious design choice to have the attained temperature as steady , with the temperature to be reached as flashing, such choice dependent on the amount of indication desired for the operator of the device.

Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uk 436' in view of Codomo et al. The claims set froth claim the light or color

intensity of the display in direct relation to the sensed temperature. The patent to Codomo et al is applied for teaching that a temperature indication display can have the intensity of the display responsive to magnitude of sensed temperature and use of the same give better alert to the operator of the device of safe temperatures. In view of this teaching it would have been obvious to modify the Uk 436' system with the same, so that more effective indication o f the temperature change can be enabled to the operator. Note that multiple colors of display are taught in Codomo et al, as set forth in claim 17. See Codomo et al, column 2 lines 60-67.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Chang et al and Eisenbrandt et al are cited for disclosing temperature indication systems for electrical heating systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark H Paschall whose telephone number is 703 308-1642. The examiner can normally be reached on 7am - 3pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (703) 305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*M H Paschall*  
Mark H Paschall  
Primary Examiner  
Art Unit 3742

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